

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS

DEC 06 2007

JAMES W. MCCORMACK, CLERK
By:  DEP. CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS

DONALD C. ERBACH, JR., and
STEPHANIE S. STRETT, husband and wife,
Individually and on Behalf of
All Others Similarly Situated

PLAINTIFFS

VS.

CASE NO. 4-07-CV-01112-JLH

SPIN MASTER, LTD. and
SPIN MASTER, INC.

DEFENDANTS


AFFIDAVIT OF SERVICE

I, James A. Streett, being duly sworn, state:

1. That on the 16th day of November, 2007, I did mail a copy of the Class Action Complaint and Summons in the above-styled case, to Defendant Spin Master, Ltd. by certified International mail with proper postage prepaid, return receipt requested, to: Spin Master Ltd., c/o Anton Rabie, President and Co-CEO, 450 Front Street West, Toronto, Ontario, M5V 1B6 Canada. A copy of that summons is attached hereto as Exhibit "A" and made a part hereof by reference.

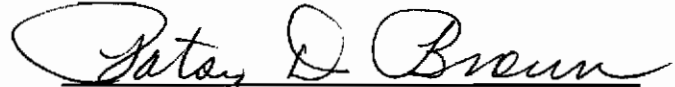
2. That on the 4th day of December, 2007, I received a signed return receipt card dated **November 27, 2007**.

3. A copy of the return receipt is hereto attached, marked Exhibit "B", and made a part hereof by reference.

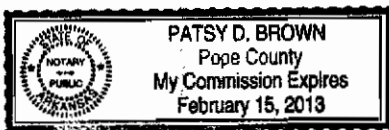

STRETT LAW FIRM, P.A.
James A. Streett, ABA #2007092
Alex G. Streett, ABA #65038
107 West Main
Russellville, AR 72811
Phone 479-968-2030
Email: James@StreettLaw.com
Alex@StreettLaw.com

STATE OF ARKANSAS)
COUNTY OF POPE)

Subscribed and sworn to before me this 4th day of December, 2007.


Notary Public

My Commission Expires:



AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

EASTERN

District of

ARKANSAS

WESTERN DIVISION

DONALD C. ERBACH, JR. and
STEPHANIE S. STREETT, husband and wife,
et al V.

SUMMONS IN A CIVIL ACTION

SPIN MASTER, LTD. and
SPIN MASTER, INC.

CASE NUMBER: 4-07-CV-01112JLH

TO: (Name and address of Defendant)

SPIN MASTER, LTD.
c/o Anton Rabie, President and Co-CEO
450 Front Street West
Toronto, Ontario
M5V 1B6 Canada

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

ALEX G. STREETT
JAMES A. STREETT
STREETT LAW FIRM, PA
107 West Main
Russellville, AR 72801

an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

James W. McCormack

CLERK

November 15, 2007

DATE

(By) DEPUTY CLERK

EXHIBIT

A

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	
NAME OF SERVER (<i>PRINT</i>)	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<div style="margin-bottom: 10px;"> <input type="checkbox"/> Served personally upon the defendant. Place where served: </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Returned unexecuted: </div> <div> <input type="checkbox"/> Other (specify): </div>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> Executed on _____ <div style="text-align: center; width: 50px;">Date</div> </div> <div style="width: 60%;"> _____ <div style="text-align: center;">Signature of Server</div> </div> </div> <div style="text-align: center; margin-top: 20px;"> _____ <div>Address of Server</div> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS

**NOTICE OF RIGHT TO CONSENT TO DISPOSITION
OF A CIVIL CASE BY A UNITED STATES MAGISTRATE JUDGE**

In accordance with the provisions of 28 U.S.C. Section 636(c), you are hereby notified that upon the consent of all parties in a civil case, a United States Magistrate Judge of this district court may be authorized to conduct any or all proceedings, including trial of the case and entry of judgment. Copies of appropriate consent forms are available from the Clerk of the Court. Parties may submit their request on any one of the following forms: "*Consent Form A*," or "*Notice, Consent, and Order of Transfer*." These forms provide for any appeal of the case to be taken directly to the Circuit Court of Appeals.

You should be aware that your decision to consent, or not to consent, to the disposition of your case before a United States Magistrate Judge is entirely voluntary and should be communicated to the Clerk of the District Court.

In the event all parties consent to disposition by a Magistrate Judge, Magistrate Judge

H. DAVID YOUNG will handle this case.

CONSENT BY THE PARTIES DOES NOT AFFECT YOUR RIGHT TO A JURY TRIAL.

To be filled out by the office of origin.
A remplir par le bureau d'origine.

Registered article Envoi recommandé	<input type="checkbox"/> Letter Lettre	<input type="checkbox"/> Printed Matter Imprimé	<input type="checkbox"/> Other Autre	<input type="checkbox"/> Express Mail International
<input type="checkbox"/> Insured parcel Colis avec valeur déclarée	Insured Value Valeur déclarée	Article No. RA 902 560 04305		
Office of mailing Bureau or depot		Date of posting Date de depot		
Addressee (Name or firm) Spin Master LT Dep Center Relive Post CEO		Nom ou raison sociale du destinataire		
Street and No. 450 Front Street West		Rue et No.		
Place and country Toronto, Ontario		Lieu et Pays		
<p>This receipt must be signed by the addressee or by a person authorized to do so by virtue of the regulations of the country of destination, or, if those regulations so provide, by the employee of the office of destination, and returned by the first mail directly to the sender.</p> <p>Cet avis doit être signé par le destinataire ou par une personne y autorisée en vertu des règlements du pays de destination, ou, si ces règlements le comportent, par l'agent du bureau de destination, et renvoyé par le premier courrier directement à l'expéditeur.</p>				
The article mentioned above was duly delivered. L'envoi mentionné ci-dessus a été dûment livré.		Date 11/27/07		
Signature of the addressee Signature du destinataire Donayce M		Signature of the employee of the office of destination. Signature de l'agent du bureau de destination.		

To be completed at destination.
A compléter à destination.

Postmark of the office of destination
Timbre du bureau de destination
NOV 28 2007
POST OFFICE BUREAU DE POSTE
TORONTO ONT M5T 2C6

EXHIBIT

B